

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE ENROLLED ACT No. 502

AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 13-18-12-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A person may not transport, treat, store, or dispose of wastewater in violation of this chapter.

(b) A person may not engage in:

- (1) the cleaning of sewage disposal systems; or
- (2) the transportation, treatment, storage, or disposal of wastewater;

without a wastewater management permit unless the person is exempted under section 7 of this chapter.

(c) A person may not operate a vehicle for the transportation of wastewater without a wastewater management vehicle license under this chapter unless the person is exempted under section 4(a)(2) of this chapter.

(d) A person may not dispose of wastewater by land application without first obtaining approval of the land application site under this chapter.

(e) **The department may issue new and renewal permits, licenses, and approvals under this chapter for a period the**

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department determines appropriate. However, the period may not exceed three (3) years.

SECTION 2. IC 13-18-12-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The board shall, in accordance with IC 13-14-8, adopt rules to establish the following:

- (1) Standards for the following:
 - (A) The issuance of wastewater management permits under section 3 of this chapter.
 - (B) Cleaning of sewage disposal systems.
 - (C) Transportation, storage, and treatment of wastewater, and disposal of wastewater, including land application.
- (2) Licensure of all vehicles used in wastewater management services. However, the board may exempt by rule vehicles licensed on September 1, 1983, under the industrial waste haulers rule 320 IAC 5-10 as the rule existed on September 1, 1983.
- (3) Procedures and standards for approval of sites for land application of wastewater.

(b) The board may designate a county or city health agency as the board's agent to approve land application sites in accordance with rules adopted under this section. ~~The procedures required by subsection (a)(3) must allow the granting of one (1) time as well as continuing site approvals. However, continuing approvals may not be granted for a period exceeding one (1) year.~~

SECTION 3. IC 13-18-12-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.5. **In addition to any other authority in this title, the commissioner or a designated staff member may, under IC 4-21.5, revoke or modify a permit, license, or approval issued under this chapter for any of the following reasons:**

- (1) Violation of a requirement of this chapter, rules adopted under this chapter, a permit, a license, or an approval.**
- (2) Failure to disclose all relevant facts.**
- (3) A misrepresentation made in obtaining the permit, license, or approval.**
- (4) Failing to meet the qualifications for a permit, a license, or an approval or failing to comply with the requirements of the water pollution control laws or rules adopted by the board.**
- (5) Changes in circumstances relating to the permit, license, or approval that require either a temporary or permanent reduction in the discharge of contaminants.**



SECTION 4. An emergency is declared for this act.

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